

CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE
ON DISARMAMENT

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FINAL VERBATIM RECORD OF THE THREE HUNDRED AND FIFTY-SEVENTH MEETING

held at the Palais des Nations, Geneva,
on Thursday, 18 January 1968, at 3 p.m.

Chairman:

Mr. A.S. FISHER

(United States of America)

SE.68-586
68-05108

PRESENT AT THE TABLE

Brazil:

Mr. A.F. AZEREDO da SILVEIRA
Mr. C.A. de SOUZA e SILVA
Mr. E. MOREIRA HOSANNAH
Mr. A. da COSTA GUIMARAES

Bulgaria:

Mr. K. CHRISTOV
Mr. B. KONSTANTINOV

Burma:

U KYAW MIN

Canada:

Mr. E.L.M. BURNS
Mr. A.G. CAMPBELL
Mr. J.R. MORDEN
Mr. A. BERNIER

Czechoslovakia:

Mr. P. WINKLER
Mr. T. LAHODA
Mr. V. VAJNAR

Ethiopia:

Mr. A. ZELLEKE
Mr. A. ABDELRAHMAN NOUR

India:

Mr. M.A. HUSAIN
Mr. N. KRISHNAN
Mr. K.P. JAIN

Italy:

Mr. R. CARACCIOLI
Mr. G.P. TOZZOLI
Mr. F. SORO

Mexico:

Mr. A. GOMEZ ROBLEDO
Mr. A. CARRANCO AVILA

Nigeria:

Alhaji SULE KOLO
Mr. B.O. TONWE

Poland:

Mr. M. BLUSZTAJN
Mr. E. STANIEWSKI
Mr. S. DABROWA

Romania:

Mr. N. ECOBESCO
Mr. O. IONESCO
Mr. A. CORCIANU
Mr. C. MITRAN

Sweden:

Mr. A. EDELSTAM
Mr. R. BOMAN

Union of Soviet Socialist
Republics:

Mr. A.A. ROSHCHIN
Mr. O.A. GRINEVSKY
Mr. V.V. SHUSTOV
Mr. V.B. TOULINOV

United Arab Republic:

Mr. O. SIRRY
Mr. M. SHAKER

United Kingdom:

Mr. I.F. PORTER
Mr. R.I.T. CROMARTIE

United States of America:

Mr. A.S. FISHER
Mr. S. DePALMA
Mr. C.G. BREAM
Mr. A.F. NEIDLE

Special Representative of the
Secretary-General:

Mr. D. PROTITCH

Deputy Special Representative of the
Secretary-General:

Mr. W. EPSTEIN

1. The CHAIRMAN (United States of America): I declare open the 357th plenary meeting of the Conference of the Eighteen-Nation Committee on Disarmament.
2. In accordance with established practice on the resumption of the work of the Conference, the first part of this meeting will be open. Also in keeping with our established practice, I propose to call first upon the Special Representative of the Secretary-General, Mr. Protitch, after which I shall say a few words in my capacity as Chairman of the day to welcome the Committee back into session. We shall then reconvene in private session to hear the statements which representatives may wish to make.
3. I now give the floor to Mr. Protitch, the Special Representative of the Secretary-General.
4. Mr. PROTITCH (Special Representative of the Secretary-General): On behalf of Secretary-General U Thant, I have the privilege of welcoming once again to the Palais des Nations the delegations participating in the Conference of the Eighteen-Nation Committee on Disarmament. I also have the honour to convey to the Conference the following message from the Secretary-General:

"The Conference of the Eighteen-Nation Committee is reconvening for a new session whose work may be crucial for the prospects of further progress on disarmament in the immediate future.

"The Conference is resuming its task after a very brief recess, with a compelling sense of urgency. You have before you a number of resolutions adopted by the General Assembly at its twenty-second session.^{1/} Once more they entrust important responsibilities to the Eighteen-Nation Committee.

"The question of non-proliferation of nuclear weapons is at the top of the disarmament agenda. Resolution 2346 A (XXII) calls upon the Eighteen-Nation Committee urgently to continue its work on a draft non-proliferation treaty, and requests it to submit to the General Assembly on or before 15 March 1968 a full report on the treaty negotiations.

"I have often in the past referred to the real and grave dangers of nuclear proliferation and expressed the hope that a treaty on non-proliferation would be agreed upon and implemented at the earliest possible date. I regard the successful conclusion of a treaty for the

(Mr. Protitch)

non-proliferation of nuclear weapons as an indispensable first step towards further progress on disarmament. I wish on this occasion to appeal to the Committee to make every possible effort to achieve a mutually-acceptable agreement within the time limit set for the submission of the report to the General Assembly.

"It is universally accepted that the ultimate goal is general and complete disarmament. On that question, as well as on the questions of a comprehensive nuclear test ban and of the elimination of foreign military bases in the countries of Asia, Africa and Latin America, some guidelines have been provided by the General Assembly in the resolutions now before the Conference. These resolutions request the Eighteen-Nation Committee to report on the progress achieved to the Assembly at its twenty-third session. In another resolution the Assembly has referred to the possibility of negotiations by the Committee on the conclusion of a convention on the prohibition of the use of nuclear weapons. I am confident that the Conference will devote all due attention to these matters.

"The immediate overriding task is, however, that of reaching agreement on a draft non-proliferation treaty. The years of patient negotiation by the parties to narrow and remove their differences on the treaty must now be brought to fruition. All the participants in the Conference will, I feel sure, exert their best efforts and utilize their full resources to achieve the right solution.

"In extending to the Eighteen-Nation Committee on Disarmament my good wishes for success in its endeavours, I want to assure its members that I shall follow their work with close interest and earnest hope."

5. The CHAIRMAN (United States of America): I feel sure that I am reflecting the views of all the members of this Committee in requesting Mr. Protitch to convey to the Secretary-General our profound thanks for his stimulating message and his good wishes in regard to the work of the Committee.

6. I should like now to say a few words in my capacity as Chairman of today's meeting about the importance of the session of the Conference of the Eighteen-Nation Committee on Disarmament which we are beginning with our meeting today. I should

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like to do so against the background of United Nations General Assembly resolution 2346 A (XXII) (ENDC/210), which was adopted on 19 December 1967 by the General Assembly of the United Nations with only one dissenting vote. In that resolution the General Assembly called upon this Committee urgently to continue its work in preparing a draft international treaty to prevent the proliferation of nuclear weapons. It requested this Committee to submit to the General Assembly on or before 15 March of this year a full report on the negotiations on such a draft treaty. It recommended that upon receipt of such report appropriate consultations should be instituted, in accordance with the rules of procedure of the General Assembly, on the setting of an early date after 15 March for the resumption of the twenty-second session of the General Assembly to consider item 28(a) of its agenda, "Non-proliferation of nuclear weapons: report of the Conference of the Eighteen-Nation Committee on Disarmament".

7. In other resolutions the General Assembly called upon this Committee to consider various subjects; but only in connexion with a treaty on the non-proliferation of nuclear weapons has the General Assembly requested us to submit a report by such an early date, and only in connexion with this treaty did the General Assembly indicate that it was contemplating a resumed session to consider the results of our work. That indicates the high importance the United Nations has placed on the work of the Committee in drafting an international treaty to prevent the proliferation of nuclear weapons.

8. I am particularly pleased, therefore, to be able to inform the Committee that the co-Chairmen have today submitted identical revised draft texts of the treaty for the Committee's consideration. Those texts, appearing in documents ENDC/192/Rev.1 and ENDC/193/Rev.1, contain an article III on safeguards, as well as several new articles and amendments to existing articles.

9. I know I speak for all of us when I express the hope that this Committee can now act definitely and expeditiously in responding to the recommendation of the General Assembly. The time has now arrived for decisive action to stop the spread of nuclear weapons, and the world will expect us to respond accordingly.

10. We have now concluded the open part of this meeting. In accordance with our usual practice, we shall have a five-minute recess, after which the Committee will resume its work in private.

The meeting was suspended at 3.15 p.m. and resumed at 3.20 p.m.

11. The CHAIRMAN (United States of America): We shall now continue the meeting in private. I have on my list of speakers the representatives of the USSR, the United States, Canada and the United Kingdom. As Chairman, I intend to call on the representative of the United States to speak second, rather than speaking last as is customarily the case; and I feel I should explain to my colleagues the reason for this slight variation from normal practice. The reason is that I shall be speaking not as Chairman but as one of the co-Chairmen and as the representative of one of the countries presenting the identical revised draft treaties now being submitted for the Committee's consideration. I felt it might be appropriate and add to the fruitfulness of the deliberations if, following Mr. Roshchin, the representative of the United States could state his views as a sponsor of one of the identical drafts.

12. Before proceeding with my formal duties and calling upon the first speaker, I should like to welcome all the members of the delegations and of the Secretariat who have returned to this session of the Conference.

13. I should like particularly to extend a very warm welcome to the new representative of India, Ambassador Husain, who is here with us for the first time as the leader of the delegation of India. With his extensive background and rich experience, Mr. Husain will, I am certain, contribute much to our work, as did his distinguished predecessor Ambassador Trivedi.

14. I should also like to welcome back to our midst Ambassador Gomez Robledo, the representative of Mexico, who was with us in 1965 and 1966. We are pleased that he is resuming his collaboration with us and we look forward to his contribution to our work.

15. Mr. ROSHCHIN (Union of Soviet Socialist Republics) (translation from Russian): Before coming to my main statement I should like, on behalf of the Soviet delegation, to convey to the Secretary-General of the United Nations, U Thant, through the Special Representative of the Secretary-General, Mr. Protitch, our gratitude for his warm words of welcome and good wishes for the success of our work.

16. The Eighteen-Nation Committee on Disarmament is today resuming its meetings which were suspended during the winter holidays. As before the recess, the main attention of the Committee should in our opinion be devoted to the question of the non-proliferation of nuclear weapons. In the present complicated and tense international situation the solution of the problem of non-proliferation is an extremely urgent task that brooks no delay. Can there be any doubt that the further

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spread of nuclear weapons would greatly increase the danger of a nuclear war with all its dire consequences for all the peoples of the world? On the contrary, the solution of the non-proliferation problem would undoubtedly have a positive effect on the development of international events in the immediate future and in subsequent years. The conclusion of a treaty on the non-proliferation of nuclear weapons would be an important landmark in the international life of the post-war period on the road to the strengthening of peace and the security of all peoples.

17. The Soviet delegation is today submitting for consideration by the Eighteen-Nation Committee on Disarmament a complete draft treaty on the non-proliferation of nuclear weapons (ENDC/193/Rev.1). In considering the question of the non-proliferation of nuclear weapons, the Soviet Union has steadfastly endeavoured to ensure that a treaty on this subject would not contain any loop-holes that might leave channels, direct or indirect, for the proliferation of nuclear weapons. That is precisely the task which it set itself in drafting the most important articles of the treaty, such as articles I and II on the basic obligations of the parties to the treaty. The obligations laid down in those articles for nuclear and non-nuclear States alike are designed to ensure the fulfilment of the basic purpose of the treaty, namely to preclude any possibility of any proliferation whatsoever of nuclear weapons throughout the world.

18. During the preparation of a draft treaty on non-proliferation considerable difficulties arose over the question of control. It was precisely on this question that the opponents of the non-proliferation of nuclear weapons concentrated their efforts to obstruct agreement in this regard. As the preparation of a draft treaty on non-proliferation proceeded, its opponents intensified their attempts to take advantage of unsettled questions and, above all, of the question of control in order to prevent any progress being made in solving the problem of the non-proliferation of nuclear weapons.

19. That is why the draft article on control which has now been submitted is an important step which paves the way for the speedy conclusion of the treaty. In ensuring the fulfilment by all parties of their obligations under the non-proliferation treaty, this article provides for the establishment of international control by the International Atomic Energy Agency (IAEA). This control will be

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carried out with respect to source or special fissionable material whether it is being produced, processed or used in any principal nuclear facility or is outside any such facility. Thus IAEA control will be applied on all source or fissionable material in the peaceful nuclear activities of non-nuclear weapon States within their territories or carried out under their control anywhere.

20. Of course, control should not entail interference in the domestic affairs of States or hamper their economic development. A special provision in the article on control provides for the unhampered utilization by all parties to the treaty of nuclear energy for peaceful purposes, for their economic and technical development, including international co-operation in the field of peaceful nuclear activities. The article on control provides for the establishment of conditions for the effective verification of the fulfilment of the obligation to prevent diversion of nuclear energy from peaceful uses to nuclear weapons; and at the same time it maintains the broadest possibilities for the peaceful development of nuclear energy in non-nuclear weapon countries.

21. During the discussion in the Committee of the draft treaty on non-proliferation, important proposals were made concerning changes in the treaty and amendments to it. These proposals were carefully considered by the Soviet side, as well as by the co-Chairmen. The revised draft treaty on non-proliferation now submitted by the Soviet Union for the Committee's consideration includes, besides an article III on control, a number of new articles and provisions, drafted with due regard to the considerations and proposals put forward in the Committee and outside it and in particular at the twenty-second session of the General Assembly.

22. During the discussion of the draft treaty on the non-proliferation of nuclear weapons, considerable attention was given to the question of the peaceful uses of nuclear energy. Many delegations expressed satisfaction that the draft treaty submitted on 24 August 1967 (ENDC/192, 193) included an article devoted to this problem. At the same time the wish was expressed that the rights of non-nuclear States in regard to the peaceful uses of nuclear energy should be set forth in greater detail in the treaty. The wishes expressed and the amendments submitted by representatives in this regard were given extensive consideration during the previous session of the Committee.

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23. In this question the Soviet side bases itself on the premise that a treaty on the non-proliferation of nuclear weapons should contribute to the development of all peaceful uses of nuclear energy in all countries, nuclear and non-nuclear. In comparison with the text submitted on 24 August 1967, the new text of article IV on the peaceful uses of nuclear energy sets forth in greater detail the right of all parties to the treaty, nuclear and non-nuclear alike, to participate in exchange of scientific and technological information for the peaceful uses of nuclear energy and to co-operate in contributing to the further development of the applications of nuclear energy for peaceful purposes. The new text also emphasizes the intention of parties to the treaty to devote special attention to the development of the applications of nuclear energy for peaceful purposes in the territories of non-nuclear States parties to the treaty.

24. During the discussion of the draft treaty on the non-proliferation of nuclear weapons, considerable attention was devoted in the Committee to the question of peaceful nuclear explosions. It was pointed out that the technology required for the manufacture of peaceful nuclear explosive devices was the same as the technology of the manufacture of nuclear weapons. It was emphasized that explosive devices for peaceful nuclear explosions could be a source of colossal devastation if they were used during military operations. It was also pointed out that the transfer of nuclear explosive devices for peaceful nuclear explosions to, or their manufacture by, non-nuclear weapon countries is a form of proliferation of nuclear weapons which must be prohibited in accordance with the purposes and spirit of the treaty on the non-proliferation of nuclear weapons being drafted by us.

25. At the same time the opinion was expressed that the non-nuclear countries should enjoy the benefits derived from the conducting of peaceful nuclear explosions for the implementation of their national economic development plans, and that these benefits should be made available to non-nuclear weapon countries on a non-discriminatory basis and favourable terms, and that this question should be the subject of a special international agreement.

26. The position of the Soviet Union on this question is well-known. We consider that for the treaty on the non-proliferation of nuclear weapons to become a

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really effective and reliable international instrument, it must extend its prohibition also to nuclear explosive devices used for peaceful purposes. At the same time, we realize that the renunciation by non-nuclear weapon countries of the manufacture or acquisition of nuclear explosive devices should in no way cause them any detriment if in future the need should arise for them to conduct peaceful nuclear explosions for the implementation of particular projects connected with the development of their national economies. In accordance with the discussion that took place in the Committee, the revised draft treaty on non-proliferation includes a separate article on peaceful nuclear explosions which has been drafted with due regard to the wishes put forward by the non-nuclear countries in this regard.

27. In discussing the draft treaty, some members of the Committee expressed the wish to include in the treaty provisions which would establish a closer link between the non-proliferation treaty and subsequent steps in the field of nuclear and general disarmament. The preamble to the draft treaty submitted to the Committee on 24 August 1967 contained a provision concerning the intention of the States parties to the treaty to agree at the earliest possible date on specific disarmament measures. That provision met with a favourable response in the Committee. At the same time, some delegations expressed the view that such a provision should be included in the treaty in the form of a separate article.

28. The Soviet Union, as an advocate of the speediest implementation of disarmament measures, is in favour of a radical solution of this problem and is prepared to take without delay effective steps in this regard. In view of the discussion which took place in the Committee on this subject, there has been included in the draft treaty a new article which provides for an undertaking by the parties to pursue negotiations in good faith on effective measures regarding cessation of the nuclear arms race and disarmament, and on a treaty on general and complete disarmament under strict and effective international control. The provisions of this article, which reflects the wishes of a number of delegations, will be an expression of the determination of the States parties to the treaty to do everything to ensure the speediest progress in solving disarmament questions.

29. At the same time, the inclusion in the text of the treaty of obligations in regard to various specific measures of nuclear disarmament, however desirable they

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might be, is extremely difficult. In drafting the aforesaid article we based ourselves on the premise that the treaty on the non-proliferation of nuclear weapons is not an end in itself but merely a step towards the achievement of nuclear and general disarmament, which should create favourable conditions for agreement on other disarmament measures and above all nuclear disarmament. The attempt to tie up in a single package the non-proliferation of nuclear weapons together with other complicated questions of nuclear disarmament on which the positions of the parties at present greatly diverge would merely create new obstacles in our negotiations and would in fact render more difficult or even prevent the achievement of an agreement on non-proliferation.

30. During the discussion on the draft treaty in the Committee there was put forward a proposal to include in the form of a treaty article a provision to the effect that the non-proliferation treaty should not affect the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories. This proposal has been embodied in the revised draft treaty on non-proliferation. The Soviet Union regards the establishment of nuclear-free zones as an important step in averting the threat of a nuclear war and reducing international tension.

31. During the discussion of the draft treaty on non-proliferation, views were expressed regarding the desirability of limiting the validity of the treaty to a certain period of time. Taking into account the wishes expressed in this regard, it is proposed that provision should be made for convening a conference of the parties twenty-five years after the entry into force of the treaty to decide whether the treaty is to continue in force indefinitely or whether a certain period of validity is to be laid down.

32. In the revised draft treaty it is further proposed to lay down that the treaty on the non-proliferation of nuclear weapons shall enter into force after its ratification by all nuclear-weapon States signatory to the treaty and forty other States signatory to the treaty, and the deposit of their instruments of ratification. This proposal is intended to give the treaty on the non-proliferation of nuclear weapons a broad international character.

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33. Many members of the Committee have expressed the wish to change the procedure for the entry into force of amendments to the treaty so that such amendments would enter into force only for those parties to the treaty which approved them. For the other parties to the treaty the amendments would enter into force only when those States had deposited instruments of ratification regarding their acceptance of the amendments to the treaty. That wish is reflected in the revised draft treaty submitted today.

34. In presenting today for consideration by the Eighteen-Nation Committee the full text of a draft treaty on non-proliferation with amendments based upon proposals by other States, the Soviet delegation expresses the hope that this will contribute to the speedy conclusion of such a treaty. We are firmly convinced that the present draft, which complies with the well-known recommendations of the United Nations General Assembly and takes into account to the greatest possible extent the positions of the overwhelming majority of States in regard to ways of solving the non-proliferation problem, provides a solution to the problem of preventing the spread of nuclear weapons.

35. Now our common task is to pave the way by our joint efforts to the speedy conclusion of a non-proliferation treaty. We consider that after the full text of the draft treaty has been placed on the table of the negotiations, attempts artificially to delay the completion of the elaboration of a draft treaty can only play into the hands of those who are striving to prevent solution of the non-proliferation problem and at the same time cessation of the nuclear arms race. The Soviet side will make every effort to achieve the speedy conclusion of a treaty on the non-proliferation of nuclear weapons.

36. Mr. Chairman: before concluding our statement, we should like to be associated with the words of welcome addressed by you to all members of the Committee and also to the members of the United Nations Secretariat and to our new colleagues in the Eighteen-Nation Committee, the representatives of India and Mexico.

37. I am very happy to welcome to our midst the representative of India, Ambassador Husain, and to resume co-operation with him in the international field. I remember with great pleasure our joint work with Mr. Husain ten years ago in London, where we both held diplomatic posts. We should like to wish Mr. Husain success in his work in his important new post and, in particular, as the representative of India in the Eighteen-Nation Committee on Disarmament.

(Mr. Roshchin, USSR)

38. We have great pleasure in seeing once again in our midst the representative of Mexico, Ambassador Gomez Robledo, whose co-operation in the Eighteen-Nation Committee was so effective and useful in past years, in 1965 and 1966. We recall this fruitful co-operation with great warmth, and wish Mr. Gomez Robledo further success and every good fortune in his new, or rather his resumed, activity as representative of Mexico in our Committee.

39. The CHAIRMAN (United States of America): I should now like to take the floor in my capacity as the representative of the United States.

40. The two identical draft non-proliferation treaties which were presented for the consideration of this Committee on 24 August 1967 (ENDC/192, 193) were the product of the best efforts of the co-Chairmen, over a long and difficult period, to formulate an agreement which would be as broadly acceptable and effective as possible. In submitting one of those identical drafts we made no claim to perfection, but the United States delegation believes that the draft we presented offers a realistic basis for agreement.

41. The discussions which have taken place here since the draft was presented are, I think, ample evidence that it was not presented on a take-it-or-leave-it basis. My delegation has appreciated the many thoughtful comments on our efforts made by members of the Committee, all of whom have entered into the discussion since last August.

42. Many of the delegations have made specific suggestions for improving the draft in a variety of ways. Eight of the members of the Committee have introduced formal amendments. In addition, we have received comments and suggestions from governments not represented in this Committee. There has been a great deal of constructive comment on those various suggestions and amendments, all of which the co-Chairmen have carefully taken into consideration.

43. As a result, we are able today to record a further, major advance in our common efforts to develop the draft into an even more widely acceptable treaty by proposing certain changes and additions to the August draft. We are presenting these changes and additions in the form of a revised treaty draft (ENDC/192/Rev.1). As was the situation in the case of the initial draft treaty presented in August, the revised treaty draft is a recommendation for discussion and negotiation in this Committee and for the consideration of all governments. The changes and additions included in it address themselves to most of the major concerns which have been raised in the course of our recent discussions.

(The Chairman, United States)

44. As was the case in August, we could not, of course, expect governments to be committed to this draft at this point, since we shall all want to discuss this draft in the session of this Committee which lies ahead. We believe, however, that the proposals we are making today will carry us a long way towards that final completion of the treaty which we seek.

45. We recognize the interest of governments not represented on this Committee in having their views on the draft non-proliferation treaty made known during this next and crucial stage in the elaboration of the treaty. A procedure already exists for the circulation within the Committee of the views of non-members. In addition, we may expect the report of this Committee to be considered at a resumed session of the General Assembly of the United Nations.

46. The revised treaty draft does not deal with security assurances -- a remaining area of concern which is still being studied -- but the co-Chairmen remain mindful of their pledge to provide the Committee with a recommendation for dealing with this complex and difficult problem.

47. Because of the importance of the proposed changes and additions to the August draft, and in view of the great interest attached to them, I should like to discuss them in some detail. This will require a rather lengthy statement, for which I apologize to the Committee, but we are dealing with an important subject. I will not attempt to specify each of the suggestions from other delegations which have inspired or contributed to our modified text; rather, I should like to emphasize again that the co-Chairmen have carefully considered all the proposals which have been advanced in this Committee and elsewhere.

48. As we all recall, the draft non-proliferation treaty text submitted by my delegation on 24 August 1967 omitted temporarily the text of article III -- the article intended to contain the important provisions on international safeguards. As we also all know, complex and difficult negotiations between the co-Chairmen continued, in which we sought to draft a practical and effective safeguards article which would take into account the interests of all countries desiring to adhere to the treaty. I think it is fair to say that in those negotiations we were greatly encouraged, and our progress was significantly accelerated, by the many statements made to this Conference in support of such a safeguards article. Our negotiations have been successful, and I am pleased to state that the revised treaty text submitted today does include a draft of article III.

49. I should like to present now a brief explanation of the provisions of article III. The first of its four paragraphs prescribes the application of treaty safeguards to all

(The Chairman, United States)

source or special fissionable material employed in peaceful nuclear activities of non-nuclear-weapon parties. Furthermore, it provides that the safeguards are intended solely to verify the fulfilment of obligations assumed under the treaty and that the safeguards shall be as set forth in an agreement negotiated and concluded with IAEA in accordance with the Statute of the International Atomic Energy Agency (IAEA) and with the IAEA safeguards system.

50. I should like to note at this point that the reference to the Agency's safeguards system in this first paragraph should not be construed as incorporating the present IAEA safeguards system documents in the treaty in the sense that a treaty amendment would be required to revise the IAEA safeguards documents. This interpretation is reinforced by the preambular expression of support for research and development on safeguards within the general framework of the IAEA safeguards system, which itself provides for periodic review in the light of further experience as well as of technological developments.

51. The second paragraph prohibits the provision by any of the parties of (a) source or special fissionable material or (b) equipment or material especially designed or prepared for the processing, use or production of special fissionable material to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material shall be subject to the treaty safeguards.

52. The third paragraph prescribes that the treaty safeguards be implemented so as to comply with article IV of the treaty -- that is the article dealing with co-operation in peaceful uses -- and to avoid hampering the economic or technological development of the parties or international co-operation in the field of peaceful nuclear activities.

53. In the final paragraph of article III the first sentence provides:

"Non-nuclear-weapon States Party to the Treaty shall conclude agreements with the International Atomic Energy Agency to meet the requirements of this Article either individually or together with other States in accordance with the Statute of the International Atomic Energy Agency". (ENDC/192/Rev.1, p.3)

This provision permits the IAEA to enter into an agreement concerning the safeguards obligations of the parties with another international organization the work of which is related to IAEA and the membership of which includes the parties concerned.

54. The remainder of the final paragraph provides schedules for the commencing of negotiations of safeguards agreements, as well as for their entry into force.

55. In formulating the draft article III which we are presenting today, we have been guided by several principles regarding treaty safeguards and safeguards agreements. I should like to enumerate these principles for you:

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1. For all non-nuclear-weapon parties there should be safeguards of such a nature that all parties can have confidence in their effectiveness. Therefore safeguards established by an agreement negotiated and concluded with the IAEA in accordance with the Statute of the IAEA and the Agency's safeguards system must enable the IAEA to carry out its responsibility of providing assurance that no diversion is taking place.
2. In discharging their obligations under article III, non-nuclear-weapon parties may negotiate safeguards agreements with the IAEA individually or together with other parties; and, specifically, an agreement covering such obligations may be entered into between the IAEA and another international organization the work of which is related to the IAEA and the membership of which includes the parties concerned.
3. In order to avoid unnecessary duplication, the IAEA should make appropriate use of existing records and safeguards, provided that under such mutually-agreed arrangements IAEA can satisfy itself that nuclear material is not diverted to nuclear weapons or other nuclear explosive devices.
56. The United States attaches great importance to the inclusion of effective safeguards in the non-proliferation treaty. This was strikingly underlined by President Johnson when he announced on 2 December (ENDC/206, pp.3,4) the intention of the United States to accept IAEA safeguards -- when such safeguards come into effect under the non-proliferation treaty -- on all its nuclear activities, excluding only those having direct national security significance. This offer demonstrates the confidence of the United States that safeguards will not impose industrial, economic or any other burdens on treaty signatories.
57. I believe that the safeguards article we are presenting today serves two major and beneficial purposes. First, it will verify important treaty obligations and thereby serve as an important instrument for reducing tensions and increasing trust. Second, the extensive application of treaty safeguards will reduce concern about providing source and special fissionable material, specialized equipment and information to non-nuclear-weapon States. It will thus provide a significant impetus for accelerated co-operation among all parties in the development of peaceful nuclear research and industry.

(The Chairman, United States)

58. The safeguards article we are presenting is one which we believe will greatly strengthen the draft treaty provisions already before us and which we are confident is in the interest of all potential parties, both nuclear-weapon and non-nuclear-weapon States. It has been the product of complex and extensive negotiations. We are confident that the safeguards provided by this article are practical and effective, and will in fact do much to promote the basic purpose of non-proliferation which we are all here to see implemented by this treaty.

59. Following article III, the safeguards article which I have just discussed, we have introduced a revised article IV. Our purpose is to include even stronger and more positive provisions for the protection of peaceful uses of nuclear energy. A suggestion along this line was first made by Mr. Castañeda of Mexico (ENDC/PV.331, paras. 12 - 14). A number of other delegations supported his suggestion or made related proposals of their own.

60. The amendment we suggest today divides the article into two paragraphs and casts that part dealing with scientific exchanges and assistance in a positive form. Most importantly, the article affirms the legal obligation of the parties to co-operate in contributing to the further development of the applications of nuclear energy for peaceful purposes. The article also provides that such contributions may be made either alone or with other States or with international organizations. Finally, the last phrase of the article stresses that international co-operation should be especially directed towards development of peaceful nuclear applications in the territories of non-nuclear-weapon States.

61. The revised non-proliferation treaty contains a new article V concerning the sharing of potential benefits from peaceful applications of nuclear explosive devices. In the August draft this subject was treated in the preamble in the form of a declaration of intention. Several members of this Committee, however, suggested that the clause should be formulated in general terms as an express obligation in the body of the treaty.

62. The new article V, which would replace the present paragraph in the preamble, does set forth a formal commitment. It enunciates the obligation of the parties to co-operate for the purpose of ensuring that potential benefits from any peaceful application of nuclear explosives will be made available to non-nuclear-weapon parties, either bilaterally or through appropriate multilateral procedures. Whatever channel is used, this new text makes clear that these benefits must be made available on a non-discriminatory basis. In addition to the fact that there can

(The Chairman, United States)

be no discrimination, the charge for explosive devices used should be as low as possible and exclude any charge for research and development. It is also provided that non-nuclear-weapon parties so desiring may obtain any such benefits through an appropriate international body and that that body should have adequate representation of the non-nuclear-weapon States. This article should therefore remove any concern by non-nuclear-weapon States that they might be dependent merely on the good will of the nuclear Powers for the performance of nuclear explosive services for peaceful purposes.

63. A new article VI is also contained in the revised treaty text. Pursuant to this article, nuclear-weapon States parties to the treaty undertake to pursue negotiations regarding cessation of the nuclear arms race and disarmament. In framing this significant new article, we have drawn profitably and widely from many suggestions which have been advanced during this Committee's deliberations. Those suggestions have been very closely linked with the principles enunciated in General Assembly resolution 2028 (XX) (ENDC/161) that the treaty should embody an acceptable balance of obligations and should be a step towards achievement of nuclear disarmament.

64. Mr. Foster, in his statement of 14 September 1967 (ENDC/PV.330), discussed in some detail how the draft treaty of 24 August 1967 already accorded with those principles, and he listed the significant obligations and responsibilities which it required nuclear parties to undertake. He also emphasized that the treaty as a whole would be a step towards disarmament and that without it nuclear disarmament would become more and more difficult to achieve.

65. From the recommendations which other members of the Committee have made on this subject, it is clear that our desire, the desire of all of us, to facilitate and not complicate subsequent nuclear disarmament negotiations is widely shared. As Mr. Castañeda has pointed out, although the nuclear Powers cannot actually undertake to conclude particular future disarmament agreements among themselves at this stage, they can undertake to initiate and pursue negotiations in good faith in order to conclude such agreements. That is essentially the content which has been given to the obligation which we are recommending be incorporated into the body of the treaty.

(The Chairman, United States)

66. The new draft article constitutes a solemn affirmation of the responsibility of nuclear-weapon States to strive for effective measures regarding cessation of the nuclear arms race and disarmament. Moreover, the article does not make the negotiation of these measures conditional upon their inclusion within the framework of a treaty on general and complete disarmament.

67. I should point out that, while adding this significant new article on disarmament, we do not propose to delete the preambular paragraphs on this subject which are at present contained in the co-Chairmen's drafts. That is to say, the preamble will continue to include what Mr. Castañeda characterized as "Very important statements of intention... concerning the disarmament negotiations between the nuclear Powers." (ENDC/PV.331, para.18)

68. A new article VII contains the principle, previously expressed in the preamble, that nothing in this treaty affects the right of any group of States to conclude regional treaties in order to ensure the total absence of nuclear weapons from their respective territories. In our view, that principle had been appropriately expressed in the preamble. Nevertheless, we agree with Mr. Castañeda that the proposed change would amplify the importance of the principle; and, since members of the Committee have expressed only approval for his suggestion, we are pleased to incorporate it.

69. The provisions for amending the treaty, in what is now draft article VIII, have been changed so as to provide in paragraph 2 that amendments shall enter into force only for those parties that accept them. This significant modification has been made to meet the concern expressed by several members of the Committee that States which had freely chosen to become parties might later find themselves unwillingly bound by unforeseen amendments ratified by a majority of the parties. The other provisions of this article remain unchanged, including that which assigns an important role in the amendment procedure to non-nuclear-weapon parties members of the Board of Governors of the IAEA.

70. In the revised treaty text we have filled one of the blanks in what is now article IX. Paragraph 3 of this article now stipulates that the treaty shall enter into force after forty non-nuclear-weapon signatories, plus all the nuclear-weapon signatories, have deposited their instruments of ratification. After careful consideration of several suggestions for filling this blank, we have concluded that requiring the ratification of forty non-nuclear-weapon signatories would ensure that when the treaty enters into force it will begin without any delay to achieve its vital purpose of halting the proliferation of nuclear weapons.

(The Chairman, United States)

71. The last change which the co-Chairmen are recommending today concerns the provisions for the treaty's duration. The new language is found in what is now paragraph 2 of article X. While remaining mindful of the strength of the arguments for a treaty of unlimited duration, the co-Chairmen have carefully considered the comments of those members of the Committee who have expressed concern about a treaty of this type having no limit in time. As a consequence we have included a provision for a conference to meet twenty-five years after the treaty has entered into force to decide how much longer the treaty should continue. In recommending this change, the co-Chairmen have also recognized the widespread desire that the treaty be assured a life-span adequate to enable it to serve effectively as a stable foundation upon which other vitally-needed measures of nuclear disarmament can be built.

72. In concluding my remarks, I should like to point out that the incorporation of the many new treaty provisions which we are recommending today marks another major milestone on the path towards achievement of a widely-acceptable non-proliferation treaty. For this progress we are indebted to the members of this Committee whose constructive comments contributed so significantly to the formulations recommended today. I trust that the revised text will be found to meet the essential concerns they have expressed and that, as a result, we can proceed to the next phase of our work -- the preparation of a definitive text for the consideration of the General Assembly, a text which can command the widest possible support. That concludes my remarks as the representative of the United States.

73. Mr. BURNS (Canada): I should like to deliver a statement on behalf of the Honourable Paul Martin, Secretary of State for External Affairs of Canada, on the occasion of the resumption of the work of this Conference. The statement is as follows:

"A little less than a year ago, I sent a short statement to this Committee welcoming earlier bilateral discussions between the United States and the Soviet Union on the non-proliferation treaty, which appeared to have brought those countries close to agreement. Unfortunately that measure of agreement, while productive, as the identical draft treaty texts tabled on 24 August last year bear witness, was not complete, as the Eighteen-Nation Committee on Disarmament recessed in mid-December.

(Mr. Burns, Canada)

"Now, happily, we are informed by the co-Chairmen that they have reached agreement on a revised draft text of a non-proliferation treaty for the consideration of this Committee" -- the draft texts which have been laid before us in documents ENDC/192/Rev.1 and ENDC/193/Rev.1. "I wish to say on behalf of the Canadian Government how much we appreciate the conciliatory spirit which has produced this long-awaited result, marking an important step forward in the negotiations. We recognize the long and demanding labours which have been required of the principal negotiators and their staffs, for which we express our thanks.

"We are happy to learn that, as well as containing an agreed text of an article on treaty safeguards, which has presented so many difficulties, the new text includes new articles, or amended language, stemming from some of the constructive suggestions made by other members of the Committee, and especially the non-aligned members, after the tabling of the texts of 24 August last year.

"We think the merits of a non-proliferation treaty are self-evident and do not need repetition here. This Committee has now somewhat less than two months to complete discussion of the revised draft treaty, before we are to report to the United Nations General Assembly. Every member has already registered its general position on the treaty, and we are all familiar with these positions. They have revealed differences of both substance and emphasis. Let us not now waste time reiterating our positions. Rather let our aim be to concentrate on narrowing and reconciling these differences in the light of the texts we have before us. The end result will be a treaty which probably will not completely satisfy any one member of the Committee, but it must reflect the highest common factor of mutual interest and agreement among us if two-and-a-half years of intensive negotiation are not to be wasted.

"Our task is clear and I think we are equal to it. It will require a lot of give-and-take and a lot of solid hard work. Let us redouble our efforts with the aim of making 1968 the year the non-proliferation treaty was successfully negotiated. I feel confident that, together with the not inconsiderable accomplishments in the sphere of arms control in recent years,

(Mr. Burns, Canada)

the conclusion of a non-proliferation treaty will put us in an excellent position to attack the more substantive problem of the control and reduction of existing nuclear arsenals."

74. Before concluding, I should like to express the gratitude of the Canadian delegation to the Secretary-General for his encouraging message; and I should also like to associate myself with those who have welcomed Mr. Husain, the new representative of India, to our midst, and to welcome back our former colleagues, Mr. Gomez Robledo of Mexico and Mr. Blusztajn of Poland.

75. Mr. PORTER (United Kingdom): I have received the following message from my Prime Minister:

"With the resumption of the Eighteen-Nation Disarmament Committee, the negotiations for the treaty on the non-proliferation of nuclear weapons to which the Committee has devoted so much effort move to their crucial stage. I am glad that agreement has been reached on a complete text to be tabled at the opening of this session and hope that the treaty will soon be opened for signature.

"The early conclusion of this treaty will not only constitute a major arms control achievement; it should also open the way to further progress in the field of disarmament.

"I send the Disarmament Committee my best wishes for a constructive session."

That is the end of Mr. Wilson's message. I should be grateful if it could be made a Conference document.^{2/}

76. While I have the floor, I too should like to express my delegation's appreciation for the Secretary-General's encouraging message. I should also like to join in extending a welcome to those around this table -- particularly Mr. Husain and Mr. Gomez Robledo -- who are here either for the first time or after absences on other duties. Finally, I should like to wish Mr. Foster, who has contributed so much towards today's development, a very speedy recovery.

^{2/} Circulated at document ENDC/211.

77. The CHAIRMAN (United States of America): Exercising briefly the right of reply, I should like to express my thanks on behalf of Mr. Foster for the expressions of good will. He is doing quite well. A speedy recovery is taking place, and he expects to be here before the end of this session. I shall inform him of the observations that have been made.

78. Mr. CARACCIOLI (Italy) (translation from French): The fact that we are meeting punctually today, on the appointed date, after the short break due to the end-of-the-year holidays, appears to me to be a very favourable omen for the progress of our work. Moreover, the fact that we have before us today, thanks to the efforts of our co-Chairmen, a revised text with the addition of an article III is also a positive sign, likely to promote the efficiency of our work.

79. Indeed, I venture to recall that in my first statement to this Committee, made on 29 August 1967 (ENDC/PV.326, para.31), I pointed out that we then thought it premature to examine the text in detail, since the treaty was to have an article III the content of which we still did not know, so that it was difficult to make an overall assessment. It seems to us therefore that from now on it will be easier to undertake both this examination in detail and this overall assessment. The Italian delegation for its part, is ready to set about this work immediately in the most constructive spirit in order to arrive at a generally-acceptable agreement.

80. It seems to me, however, that on this occasion we must also recognize today the usefulness of the discussions which took place in the United Nations General Assembly (A/C.1/PV.1545 et seq.) in connexion with the submission of the interim report of the Eighteen-Nation Committee on the non-proliferation treaty (ENDC/208). The various resolutions adopted by the General Assembly are a useful guide to the organization of our work. In view of the limited time available to us, it seems to me that we should immediately consider so organizing our work as to comply with our terms of reference, and in particular, in respect of the treaty on the non-proliferation of nuclear weapons, with operative paragraphs 2 and 3 of General Assembly resolution 2346 A (XXII) (ENDC/210), which call upon the Eighteen-Nation Committee on Disarmament urgently to continue negotiations on a draft treaty on the non-proliferation of nuclear weapons, giving all due consideration to all proposals submitted to the Committee and to the views expressed by Member States during the twenty-second session of the General Assembly, and request the Committee to submit to the General Assembly on or before 15 March 1968 a full report on the negotiations together with the pertinent documents and records.

(Mr. Caracciolo, Italy)

81. It seems to me, therefore, that it would be desirable to review the various proposals that have been made by delegations so as to determine to what extent they have been taken into account, or the reasons that have prevented their acceptance.

82. Incidentally, I am personally convinced that all delegations, in making their proposals or suggestions, have at no time sought to find pretexts for delaying the conclusion of a treaty, but that on the contrary they have wished to assert their sincere conviction of what was desirable in order to arrive at a treaty acceptable to the largest possible number of States.

83. In this spirit, I should like to take note, with pleasure, of the very fair declaration made by the representative of the United States, who at the beginning of his statement today affirmed his conviction that this draft treaty represented a solid basis for agreement.

84. Mr. GOMEZ ROBLEDO (Mexico) (translation from Spanish): I have asked for the floor only to express my warmest thanks for the kind words of welcome addressed to me by you, Mr. Chairman, and by the representatives of the Soviet Union, Canada and the United Kingdom. It is certainly a great pleasure for me to meet again, although for a very short time, my old friends and admired colleagues, to make the acquaintance of the new members of the Committee and to take part in its work once again, particularly now that we appear to be coming close to the achievement of our aspirations.

85. Mr. HUSAIN (India): I feel highly privileged and honoured to represent my country in this Committee which is engaged upon a task of vital importance to world peace and security. The General Assembly is awaiting the results of our deliberations. I am personally happy to see that my first meeting is the occasion for a very important development in the work of this Committee. It will be my endeavour to assist this work in every way and to put forward the constructive views of my Government for the consideration of my colleagues. The drafts presented today by the two co-Chairmen will receive the most earnest and serious consideration of my Government with a view to the making of rapid progress in the work of this Committee.

86. I should like to take this opportunity of thanking the two co-Chairmen and my other colleagues for the kind sentiments they have expressed towards me personally. I wish to offer my whole-hearted co-operation in our joint endeavours and our common task.

The Conference decided to issue the following communique:

"The Conference of the Eighteen-Nation Committee on Disarmament today held its 357th plenary meeting in the Palais des Nations, Geneva, under the chairmanship of H.E. Ambassador A. Fisher, representative of the United States.

"The Special Representative of the Secretary-General made a statement and conveyed a message to the Conference from the Secretary-General.

"The Chairman also made a statement.

"After the conclusion of the open part of the meeting, statements were made by the representatives of the Soviet Union, the United States, Canada, the United Kingdom, Italy, Mexico and India.

"The following documents were tabled:

1. Letter dated 11 January 1968 from the Secretary-General of the United Nations to the co-Chairmen of the Conference of the Eighteen-Nation Committee on Disarmament transmitting resolutions 2286 (XXII), 2289 (XXII), 2342 (XXII), 2343 (XXII), 2344 (XXII) and 2346 (XXII) of the General Assembly (ENDC/210);
2. The delegation of the United States tabled the revised text of the draft treaty on the non-proliferation of nuclear weapons (ENDC/192/Rev.1);
3. The delegation of the Union of Soviet Socialist Republics tabled the revised text of the draft treaty on the non-proliferation of nuclear weapons (ENDC/193/Rev.1);
4. The delegation of the United Kingdom tabled a message from the Prime Minister of the United Kingdom, the Right Honourable Harold Wilson (ENDC/211).

"The next meeting of the Conference will be held on Tuesday, 23 January 1968, at 10.30 a.m."

The meeting rose at 4.30 p.m.

**CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE
ON DISARMAMENT**

ENDC/PV.357/Corr.1
8 February 1968
ENGLISH ONLY

FINAL VERBATIM RECORD OF THE THREE HUNDRED AND FIFTY-SEVENTH MEETING

held at the Palais des Nations, Geneva,
on Thursday, 18 January 1968, at ³ THE UNIVERSITY
OF MICHIGAN

Corrigendum

APR 2 1968

DOCUMENT
COLLECTION

Page 16, paragraph 55:

After "and safeguards agreements" insert "provided by this article"

Page 17 first line from the top:

Replace "1. For all non-nuclear weapon parties, there should be safeguards" by the following text "1. There should be safeguards for all non-nuclear-weapon parties"

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